

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v. -

ROSS WILLIAM ULRICHT,
a/k/a "Dread Pirate Roberts,"
a/k/a "DPR,"
a/k/a "Silk Road,"

Defendant,

ANY AND ALL ASSETS OF SILK ROAD;

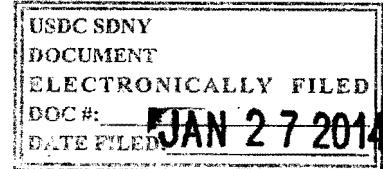
And All Property Traceable
Thereto, Including but not limited
to the BITCOINS LOCATED ON
ULBRICHT'S COMPUTER HARDWARE,

Defendants-in-rem.

ORDER TO STAY CIVIL
FORFEITURE PROCEEDINGS
PURSUANT TO
18 U.S.C. § 981(g)

No. 13 Civ. 6919 (JPO)

ECF Case



WHEREAS, on September 30, 2013, the United States of America ("Government"), commenced this civil forfeiture action upon the filing of a verified complaint, seeking the forfeiture of the above-captioned Defendants in Rem (the "Defendants in Rem") pursuant to Title 18, United States Code, Section 981(a)(1)(A), as property involved in money laundering and attempted money laundering transactions, in violation of Title 18, United States Code, Section 1956, and seeking civil money laundering penalties against Defendant in Personam Ross

William Ulbricht, a/k/a "Dread Pirate Roberts," a/k/a "DPR," a/k/a "Silk Road," ("Ulbricht");

WHEREAS, on September 27, 2013, the Government charged Ulbricht by criminal complaint in *United States v. Ross William Ulbricht*, 13 Mag. 2328 (FM), with engaging in a narcotics trafficking conspiracy, in violation of Title 21, United States Code, Section 846; a computer hacking conspiracy, in violation of Title 18, United States Code, Section 1030; and a money laundering conspiracy, in violation of Title 18, United States Code, Section 1956, all in connection with his operation of the Silk Road Hidden Website;

WHEREAS, on October 1, 2013, this Court entered a protective order which, among other things, authorized the United States to seize the Silk Road Hidden Website and any and all bitcoins contained in wallet files residing on Silk Road servers, including those servers enumerated in the caption of the Complaint, pending the outcome of this civil proceeding, by transferring the full account balance in each wallet to a Bitcoin address controlled by the United States (the "Silk Road Server Bitcoins");

WHEREAS, on October 24, 2013, this Court entered a second protective order which, among other things, authorized the United States to seize any and all bitcoins contained in wallet files residing on certain computer hardware belonging

to Ulbricht, pending the outcome of this civil proceeding, by transferring the full account balance in each wallet to a Bitcoin address controlled by the United States (the "Computer Hardware Bitcoins"; together with the Silk Road Server Bitcoins, the "Defendant Bitcoins");

WHEREAS, Ulbricht filed a timely Verified Claim to the Computer Hardware Bitcoins;

WHEREAS, on January 15, 2014, this Court entered a Partial Default Judgment and Order of Forfeiture with respect to the Silk Road Hidden Website and the Silk Road Server Bitcoins, on the basis that no party or entity had filed a timely Verified Claim;

WHEREAS, the Government and Ulbricht jointly bring this motion to stay the civil forfeiture proceedings with respect to defendant / claimant Ulbricht on the following grounds: (i) that to allow Ulbricht to go forward with civil discovery would adversely affect the ability of the Government to conduct the prosecution of a related criminal case, namely, the prosecution of 13 Mag. 2328 (FM), (ii) that continuation of the forfeiture proceeding will burden Ulbricht's right against self-incrimination in the related criminal case, and (iii) that a protective order limiting discovery would not be an appropriate substitute for a stay;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, PURSUANT TO 18 U.S.C. § 981(g), THAT:

1. The civil forfeiture proceedings in case number 13 Civ. 6919 (JPO) with respect to defendant / claimant Ulbricht are stayed until the related criminal case 13 Mag. 2328 (FM) has been disposed of at the trial court level.

2. IT IS FURTHER ORDERED that this order shall have no effect on the rights of other potential claimants; and

3. IT IS FURTHER ORDERED that the Government shall notify the court of the disposition of criminal case number 13 Mag. 2328 (FM) no later than thirty (30) days following said disposition.

AGREED AND CONSENTED TO:

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for Plaintiff

By: Christine Magdo
CHRISTINE I. MAGDO
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007

1/22/14

DATE

ROSS WILLIAM ULRICH
Claimant

By:

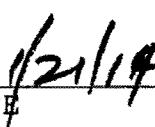

ROSS WILLIAM ULRICH


01/09/2014

DATE

By:


JOSHUA L. DRATEL, ESQ.
Joshua L. Dratel, PC
2 Wall Street, 3rd Floor
New York, NY 10005


1/21/14

DATE

SO ORDERED:


HONORABLE J. PAUL OETKEN
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK


Jan. 27, 2014

DATE